



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 63

Assembly Amendment 1 (as Amended)

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Current law requires drivers who are “involved in” certain accidents to stop and undertake certain actions. Under current law, the operator of a vehicle involved in an accident resulting in injury or death or in damage to a vehicle that is driven or attended by any person must immediately stop the vehicle at the scene of the accident or as close to the scene as possible and do the following: (1) give his or her name, address and vehicle registration number to the person struck or to the operator or occupant of or any person attending the vehicle collided with; (2) upon request and if available, exhibit his or her driver’s license to that person; and (3) render reasonable assistance to any person injured in the accident. Any such stop must be made without obstructing traffic more than is necessary. Penalties for violation of current law are shown in the table on page 2.

Assembly Bill 63 modifies current law to make the above actions that must be undertaken also apply to the operator of a vehicle “. . . who knew or should have known that his or her actions caused an accident . . .” resulting in injury, death, or damage to certain vehicles. Penalties that are provided under current law would also apply to these persons.

Assembly Amendment 1 deletes the language “knew or should have known” and states that the duties imposed under current law also apply to an operator of a vehicle that has not collided with another person or vehicle “. . . whenever facts and circumstances provide notice to the operator that his or her operation of the vehicle proximately resulted in an accident . . .” resulting in injury, death, or damage to certain vehicles. *Assembly Amendment 1 to Assembly Amendment 1* substitutes “was a primary cause of” for “proximately resulted in.” Assembly Amendment 1 provides different penalties for violators of the bill, as amended, than those provided in current law. The following table shows the penalties for violators of current law and those who violate the bill, as amended.

***Penalties for Drivers Who Leave the Scene of An Accident
Without Taking Required Actions***

	Current Law (Persons Involved in an Accident)	Assembly Bill 63, as Amended (Vehicle Did Not Collide With Other Person or Vehicle, But Operation Was a Primary Cause of an Accident)
Accident not involving death or injury to a person	Fine of \$300 to \$1,000, imprisonment for not more than six months, or both.	Fine of \$150 to \$500, imprisonment for not more than three months, or both.
Accident involving injury to a person, but not great bodily harm	Fine of \$300 to \$5,000, imprisonment for 10 days to two years, or both.	Fine of \$300 to \$2,500, imprisonment for not more than one year, or both.
Accident involving great bodily harm	Fine of not more than \$10,000, imprisonment for not more than three years, or both.	Fine of not more than \$10,000, imprisonment for not more than one year, or both.
Accident involving death	Fine of not more than \$10,000, imprisonment for not more than seven years and six months, or both.	Fine of not more than \$10,000, imprisonment for not more than one year, or both.

The Assembly Committee on Transportation recommended adoption of Assembly Amendment 1, and passage of the bill, as amended, both on votes of Ayes, 13, Noes, 0, on April 19, 2001.

The Assembly adopted Assembly Amendment 1, and Assembly Amendment 1 to Assembly Amendment 1, on voice votes on June 12, 2001. The Assembly passed the bill, as amended, on a vote of Ayes, 73, Noes, 25, on June 12, 2001.

RNS:rv;jal;wu